

## CHANGES TO TRIAL RULES RELATED TO ADMINISTRATIVE RULE 9

### Trial Rule 3.1 Appearance

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- (D) Confidentiality of ~~Information~~ Court Record Excluded from Public Access. Any appearance form or Court Record defined as not accessible to the public pursuant to Administrative Rule 9(G)(1) shall be filed in a the manner required by ~~Trial Rule 5~~ Administrative Rule 9(G)(5).

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### Trial Rule 5. Service and Filing of Pleading and Other Papers

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- (G) ~~Filing of Documents and Information Excluded from Public Access and Confidential Pursuant to Administrative rule 9(G)(1)~~ Confidentiality of Court Records. Every document filed in a case shall separately identify information excluded from public access pursuant to Admin. R. 9(G)(1) as follows:

- ~~(1) Whole documents that are excluded from public access pursuant to Administrative Rule 9(G)(1) shall be tendered on light green paper or have a light green coversheet attached to the document, marked "Not for Public Access" or "Confidential."~~
- ~~(2) When only a portion of a document contains information excluded from public access pursuant to Administrative Rule 9(G)(1), said information shall be omitted [or redacted] from the filed document, and set forth on a separate accompanying document on light green paper conspicuously marked "Not for Public Access" or "Confidential" and clearly designated [or identifying] the caption and number of the case and the document and location within the document to which the redacted material pertains.~~
- ~~(3) With respect to documents filed in electronic format, the trial court, by local rule, may provide for compliance with this rule in manner that separates and protects access to information excluded from public access.~~
- ~~(4) This rule does not apply to a record sealed by the court pursuant to IC 5-14-3-5.5 or otherwise, nor to records, documents, or information filed in cases to which public access is prohibited pursuant to Administrative Rule (9)(G).~~
- (1) Court Records are accessible to the public, except as provided in Administrative Rule 9(G).
- (2) Any Court Record excluded from Public Access pursuant to Administrative Rule 9(G) must be filed in accordance with Administrative Rule 9(G)(5).

### **Trial Rule 43. Evidence**

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- (E) **Public Access.** ~~Information~~ Court Records filed or introduced in court proceedings ~~is~~ are not confidential except to the extent provided by ~~statutes, rules of court and Indiana~~ Administrative Rule 9(G).

### **Trial Rule 58. Entry and content of judgment**

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- (C) ~~Documents and Information~~ Court Records **Excluded from Public Access and Confidential Pursuant to Administrative Rule 9(G)(4).** Every court that issues a judgment or order containing ~~documents or information~~ Court Records excluded from ~~p~~Public ~~a~~Access pursuant to Administrative Rule 9(G)(4) shall comply with the provisions of ~~Trial Rule 5(G)~~ Administrative Rule 9(G)(5).

### **Trial Rule 81.1. Procedures for Cases Involving Family or Household Members**

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**G. Court Records Excluded from Public Access.** In a ~~e~~Court using Family Procedures, each party shall have access to all records in cases joined under this Rule, with the exception of ~~e~~Court ~~r~~Records excluded from ~~p~~Public ~~a~~Access pursuant to Administrative Rule 9. A party may seek access to such confidential records from another case joined under this Rule ~~by written petition based on relevancy and need in~~ accordance with Administrative Rule 9(G)(7). Records excluded from ~~p~~Public ~~a~~Access shall retain their confidential status and the court using Family Procedures shall direct that confidential records not be included in the public record of the proceedings.